

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 1601 OF 2004
IN
EXECUTION APPLICATION NO. OF 2004
IN
AWARD DATED 10.01.2000

Shri Cyril L. Fernandes	.. Claimant.
V/s.	
Vasant N. Shetty	.. Respondent.
AND	
Shree Ramanjaneya Leasing & Finance Pvt. Ltd.	.. Applicants.

Ms. Ritu Bhatia, for the Claimants.
Mr. B.G. Saraf, in support of Chamber Summons.
Mr. A.M. Kazi, Sherif of Bombay present.

CORAM: S.J. VAZIFDAR, J.

DATE : 26TH OCTOBER, 2004.

P.C. :

1. It is agreed between the parties that the sale shall proceed. However, the sale proceedings shall not be withdrawn by any of the parties without further orders of this Court. Any application for withdrawal of the amount shall be heard alongwith the present Chamber Summons. The sale shall be without prejudice to the rights and contentions of the Applicant, that the Applicant is entitled to a priority in respect of the sale proceeds in view of the mortgage created in favour of the Applicant as

security for repayment of amount lend in advance by the Applicant.

2. The sale proceeds shall be invested by the Office of the Sheriff of Bombay in fixed deposit of any nationalised bank initially for a period of one year and then for a like periods of one year each. The Director of the Applicant Company, one Mr. Harish Shetty is present in the Court. Liberty to the parties to adopt appropriate proceedings.
